

MEETING #44 October 14

At a Regular Meeting of the Madison County Board of Supervisors on
October 14, 2008 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean
James L. Arrington, Vice-Chairman
William L. Crigler, Member
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

(CLARK POWERS ARRIVED @ 4:10 P.M.)

Chairman, Eddie Dean called the meeting to order and announced that Clark Powers was absent at the present time.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Roy Tate, Assistant Resident Engineer, was present and stated that Donald Gore, Resident Engineer, was called away to attend a statewide budget meeting with the Commissioner to gain insight as to the Governor's recommendations; he also advised the fall mowing cycle is underway (contractor on Route 29 and VDOT is on the secondary roads); tree trimming contract for the County of Madison has been completed for the year and has now moved onto the next County; had a pre-scoping meeting a week ago on the intersection at Routes 614 and 706, which is being transferred (i.e. instead of renovating the entire length of 614) and plans are being made to move forward to create a "plan job" for the section at the intersection of Route 706; paving being implemented on Route 29 North and should be completed within the next week or so.

Roy Tate also suggested the Board be thinking of the Six Year Road Improvement Plan as it appears there will be a thirty percent (30%) cut from funding that was received last year (preliminary numbers) – therefore, he suggested the Board take a close look at upcoming projects and determine future desires for the plan; he stated that Donald Gore is looking at Route 642 – wanted to advertise renovations for this area no later than January 2009, but this will depend on funding coming on board July 1st of 2009 as there must be enough funding in the next year when the project is to be completed. In

closing, he advised that Donald Gore is currently working with Randy Yeager to determine whether it will be possible to move forward with the project.

Bob Miller mentioned the contractors sheared the telephone box on Route 652 (Gaar Mountain Road) and this hasn't been fixed (i.e. wires are exposed).

Roy Tate stated the telephone repair servicemen (Verizon) are probably unaware of what has occurred; however, he'll pass this information along to the superintendent.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented for September 2008.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of payroll for September 2008 (Checks #30110404-408 and 30110409 through 30110417) and electronic transfer #16), are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

On motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of claims against the County for September 2008 (Checks #10128894-928; 933-962; 966-9009; 012-054; 057-123) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

Chairman, Eddie Dean advised the Board will need to approve the certificate of Claims Capital Fund – September 2008 – [Checks 10128929; 963; 964; 9010, 9055; 9056; 9124; 9125; and 9126]

On motion of William L. Crigler, seconded by Bob Miller, the Certificate of Claims Capital Fund – September 2008, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

Chairman, Eddie Dean stated the Board will need to approve certificate of claims – post year 2008.

Teresa Miller, Finance Director, advised this will be the last set of post year claims to be paid for the year.

Chairman, Eddie Dean feels the County will soon be able to compute an accurate carryover figure.

Teresa Miller, Finance Director, stated the carryover figure should be available within about three (3) weeks – the independent auditor is now working on journal entries will return the data afterward; she also advised the school system is still operating on a “cash basis” so all purchases made in July and August will have to be “post year” – therefore, more concrete numbers will be provided once all the aforementioned data has been received and processed. In closing, she advised a meeting has taken place with the school system and County representatives and they will begin utilizing the accrual method during the fiscal year.

James L. Arrington questioned the amount of funding denoted, to which Chairman, Eddie Dean advised a large portion of the noted funding is due to the school system holding July/August staff salaries which is denoted as a part of ‘post year’ claims.

On motion of James L. Arrington, seconded by William L. Crigler, the certificate of claims for post year 2008 (General fund – Check #10128930, 8931, 8932, 8965, 9011, 9127, 9128, 9129) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

Teresa Miller, Finance Director, advised that hard numbers should be available by November 1st; the independent accountant will

Chairman, Eddie Dean advised the Board will need to approve Supplements for September 2008:

1.	OAR/Jefferson Area Correct. #33403-5640	Additional Contribution	\$1,526.00
2.	Park & Recreation #71100-5690	Youth Sports Deposits	\$3,393.00
3.	Park & Recreation #71100-5691	Health Fitness Deposits	\$ 200.00
4.	Sheriff Dept – Law Enforcement #31200-1460	Court Ordered Reimb.	\$ 580.00
5.	Sheriff Dept – Law Enforcement #31200-6009	Court Ordered Reimb.	\$ 35.00
6.	Revenue Refunds #92100-5860	Interest Refund on Taxes	\$ 72.16
7.	Revenue Refunds #92100-5882	Sheriff Levy Proceeds	\$5,683.50
TOTAL:			\$11,489.66

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the supplemental appropriations in the amount of \$11,489.66 was approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

Teresa Miller, Finance Director, advised the independent auditor is working on general accounts; however, the school system is currently operating on a cash basis but hard figures should be available to the Board by November 1st; also, the school board will converging to the accrual system this fiscal year.

Chairman, Eddie Dean advised that Teresa Miller, Finance Director, has prepared a tentative 2010 Budget Calendar for review.

V. R. Shackelford, III, County Attorney, commented on the Board's request for the semi-annual collection of taxes and stated that a procedural Ordinance will need to be adopted prior to January 1, 2009.

Chairman, Eddie Dean advised the Board discussed moving the budget process up earlier during the past year in order to allow the School System more time to plan their budget.

V. R. Shackelford, III, County Attorney, also explained the process by which advertisement of a proposed tax rate will need to be implemented.

Lisa Kelley, County Administrator, stated the Board decided several months ago to move forward with semi-annual tax collection and feels the Board needs to move forward with having V. R. Shackelford, III, County Attorney, draft an Ordinance for discussion/approval.

IN RE: MADISON FACILITIES & MAINTENANCE:

Ross Shifflett, Director of Facilities & Maintenance, provided a written report for review; he also advised some work has been implemented in front of the red barn at Hoover Ridge (i.e. widening) which should make it easier for vehicles to get through; he also advised that Open House will be held at the Madison County Animal Shelter & Recycling over the weekend – it is anticipated this will also generate some animal adoptions.

Ross Shifflett advised the playing season is almost completed for Parks/Recreation sports; fields are in fairly good shape but will be much better after some rainfall is received.

James L. Arrington asked about the nature trail, to which Ross Shifflett advised he is hoping to meet with a representative soon and hopes to have the area in order by the spring of 2009.

Ross Shifflett also advised there are some Eagle Scouts who are working on a project at the site.

Ross Shifflett also stated that Brad Jarvis, Extension Agent, has prepared some notices for the Farmer's Market – tents will be out of the way by the end of the month; however, he stated the Farmer's Market has been well received.

Chairman, Eddie Dean asked about tonnage at the Madison Transfer Station, to which Ross Shifflett advised that things are slowing up a bit at this time which he feels is a sign of the slow economic times.

In closing, Ross Shifflett stated that October is “free brush month” for local citizens (and again in March).

IN RE: MADISON SOCIAL SERVICES

Nan Coppedge, Director, was present and advised the State is cutting (80) positions; also administrative funding has decreased significantly; there has been a five percent (5%) increase in the purchase of food stamps and an increase in Medicaid cases; all appointments for the remainder of the week have already been filled. In closing, she advised there will be no additional staff hired to help process the increased applications that have been (and continue) received.

Nan Coppedge advised that a fax was received this morning from Skyline CAP that October 22nd and 23rd are dates that have been scheduled for citizens to apply for section 8 vouchers; also a diabetes health fare has been scheduled for October 21st (flyers posted) at the Madison Firehouse; Thrivent lunch held last week to help the Madison County Boy’s & Girl’s Club was very successful with 250 submarine sandwiches being sold – the organization has 100 students enrolled and is now considered an official “club” and not a ‘satellite unit’ of the Charlottesville facility.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, was present and commented on the positives brought about by the Madison County Boy’s & Girl’s Club; also advised the Board of Directors meeting will be held on October 20th @ the Chamber Office; annual banquet is on Monday, October 17th; dues notices will be mailed out around the end of November; walk-in traffic slowed at the Visitor’s Center during September although the website had 4,714 hits; walk traffic has increased during October due the anticipation of fall foliage; helping to promote trick or trunk during Halloween; Christmas parade will be scheduled for December 6th at 10:00 a.m.; submitted the VTC travel impact summary to go along with the annual report (enclosed for the Board).

IN RE: MADISON E-911 CENTER

Robert Finks, E-911 Coordinator, provided a report for the month of September 2008: 547 calls were received during the month [(363) home, (184) wireless; (23) alarm calls and law enforcement calls were up. He also advised an application has been made for grant funding for a citizens' alert system (i.e. reverse 911) and notification was forwarded that Madison County has received these funds of \$50,000.00 – the system is County-wide and will allow citizens in entire areas to be notified of any emergency situations that might involve their specific region of Madison County, as well as allow scanning and receipt of any information forwarded from the National Weather Service (i.e. similar to the system the Madison County School System has) on a county-wide basis. Additionally, he stated the systems comes with a module that provides weather alerts and will allow citizens to access a website to register for any weather alerts (i.e. flash flooding, etc.) by way of home or cellular numbers.

The Board verbalized concerns as to the cost for implementation of the service that isn't covered by the grant, to which Robert Finks stated once the County invests in the system and decides to keep it, there will be a "lock in" for as long as the County wants to utilize the system (i.e. \$6,000 for one module, \$3,000. for the weather module) – and with the grant funding, the system should be fully paid for within four (4) years.

Bob Miller verbalized that many of these systems that are made available by grant funding generally require updates within five (5) years or so and there are concerns as to what this will cost the County in fees, to which Robert Finks advised that everything is handled off-site and implemented through the State of Florida by way of the internet – access will also allow for missing child alerts. He stated he looked at performing these tasks in-house, however with the aforementioned off-site system, there will be no equipment cost to the County and it will be more economical. If the County had to handle all aspects offered by the system, it would cost an annual fee and extensive time to notify all citizens of any alerts – the system can perform notifications within six (6) minutes as opposed to several hours.

Lisa Kelley, County Administrator, advised the County will not have to purchase the equipment or maintain the database; therefore, the system seems to be very cost effective and the grant funding will probably cover about two (2) years of service.

In closing, Robert Finks stated if in two (2) years the County decides not to utilize the system, there is a right to cancel. Additionally, he advised when citizens enter into the database (national), the database will be 80% correct; therefore, it is advised the County provide a link on the local website where citizens can go in and actually check to make sure telephone numbers are correct; also cellular numbers can be entered along with a name (i.e. multiple numbers can be entered [home, cellular]).

Bob Miller asked if there will be advertisement to citizens of this new service in order to collect data, to which Robert Finks advised would be the best option. Also, the system recognizes duplicate telephone numbers and will automatically correct these entries.

Chairman, Eddie Dean asked if the system will allow anyone to have access to pertinent information, to which Robert Finks advised it will not and is absolutely secure. Any new data will be generated and utilized; however, if nothing is entered, there will be no information to access.

William L. Crigler asked who will be responsible for making calls to specific areas, to which Robert Finks advised will be left up to the Administrators (there can be up to five [5] – i.e. County Administrator, Sheriff, E-911 Coordinator, Emergency Management Coordinator) – access to the system can be accomplished from any location (i.e. home, office) and work groups can be entered.

Lisa Kelley, County Administrator, advised the “Administrators” can be changed periodically; she also advised the weather alert service has a feature in which the National Weather Service identifies the path of incoming weather and the system will automatically call citizens signed into the database who are in the direct path of the storm.

Robert Finks stated the reverse 911 feature comes with the database but the weather alert program does not as most people don't want to be called; therefore, citizens will need to sign up for the weather alert program in order to be contacted.

James L. Arrington asked if someone will be assigned to offer assistance to seniors and those who are unfamiliar with the internet, to which Robert Finks advised that sign-up is relatively easy and can be accomplished within thirty seconds.

Chairman, Eddie Dean stated that service may also be offered through the local library and the senior center.

Robert Finks advised that many localities have utilized the in-house system and found that a Verizon telephone line is needed and there is a monthly charge for said telephone lines; the system being offered has 1,000 telephone lines – if the infrastructure in Madison County will accept the system, every citizen can be notified within six (6) minutes.

After further discussion as to whether the system will provide citizens with a means of response, Robert Finks advised during a county-wide alert, the local map can be utilized by drawing a circle the length of a specific targeted storm area and the database will call every address within that region with specific evacuation procedures and location(s) to proceed to for safety.

The Board asked if there were other companies who provide this system, to which Robert Finks stated this company is the one that many localities have gone with and has been recognized by the State as denoted on the grant. He also advised the company is nationally recognized and has been established for quite some time.

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, was absent but provided a monthly report to the Board for review.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for September 2008:

1. Total Calls toned: 80
2. Total calls handled: 74
3. Total calls no response (6) [(4) Greene; (1) Orange for mutual aide assistance were not answered due to no available staff] (1) call was cancelled prior to arrival
4. Average in-County response time to the scene: (11) minutes
5. Night coverage: Eleven hours of night coverage on (15) nights
6. Total calls handled: 14

Lewis Jenkins advised the total calls per month were down just a bit; all OSH requirements were met for health & safety; were unable to find fill the vacant position as none of the applicants were able to pass the skills test requirements – vacancy will be re-posted and it is anticipated there will be additional candidates for future interviews.

IN RE: MADISON SHERIFF'S DEPARTMENT

Erik Weaver, Sheriff, provided the following report for September 2008:

1. Calls for service: 1,056
2. Criminal Arrests: 74
3. Civic Process 418
4. Court days: 19 (2 court sessions in a day)
5. Traffic Related Summons: 130 (highway safety)
6. Court security fees (paid to the Treasurer): \$4,000.00
7. Local fines from highway safety (paid to the Treasurer): \$6,000.00

Erik Weaver, Sheriff, stated a memorandum was received from Lisa Kelley, County Administrator, on October 2nd regarding budgetary reductions and his department has laid off three (3) part-time deputies and revamped various programs; also referenced the high cost of fuel and stated that routine patrols have been discontinued and deputies sit a locations instead; has also made arrangements for an outside source to clean the Sheriff's office at no cost to the County. In closing, he stated his department is doing all it can to control costs – state budget cuts have also been implemented; also noted there were several vehicles that were broken into last evening while an aerobics class was being conducted inside a building; also reported gas has been stolen from several vehicles in the Town and County; vehicles were also stolen from surrounding localities.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler read the following report provided by the Madison Volunteer Rescue Squad for August 2008:

- 37 medical emergencies
- 4 misc. (accidents/MVC)
- 7 public service
- 48 total calls (+1 training exercise)

William L. Crigler stated that as per his discussion with Wayne Jones, President of the Madison County Volunteer Rescue Squad, advised the organization hopes to have an agreement delivered to Lisa Kelley, County Administrator, on Wednesday.

William L. Crigler also advised that he has asked Lisa Kelley, County Administrator, and Lewis Jenkins, EMS Coordinator, to devise a version of a lease agreement to be utilized in order to produce revenue recovery – this will be taken to the volunteers for review in order for action to be taken by the organization.

IN RE: RESOLUTION (All Hazards Emergency Operations Plan for Madison County, VA)

Lisa Kelley, County Administrator, advised the Board will need to adopt the Resolution for the All Hazards Emergency Operations Plan for Madison County, Virginia – a copy of the plan was provided to each Board member on CD and a hard copy is also available at 302 Thrift Road.

Carl Pumphrey, Emergency Management Services Coordinator, was present and advised the state statutes require that localities adopt the revised version of the All Hazards Emergency Operations Plan every four (4) years – there have been some new chapters added to the plan dealing with animals during emergency situations. He also advised the plan deals with all types of hazardous disasters (i.e. manmade, natural, chemical, biological, etc.) – each department was given an opportunity to look at sections of the plan that pertain to their specific area and comments and/or changes were implemented as necessary).

James L. Arrington questioned what procedures were in place in the event of radioactive contamination, to which Carl Pumphrey advised specific guidelines are denoted in the hazardous materials section and if a radioactive emergency is underway, there are certain procedures that will have to be initiated (i.e. evacuation); additionally,

there are a number of teams from North Anna that are trained to deal with radioactive emergencies and will steer Madison County in the right direction. He also advised in the event of a hazmat spill, teams from Harrisonburg, Fredericksburg or Henrico County (ies) will be called to assist with possible contamination issues. In closing, he advised that containers designed to carry medical or hazardous wastes are constructed in a manner to be able to contain the waste in the event there is an accident.

Chairman, Eddie Dean asked if budget cuts implemented by the State affected the proposed wage increases for the Sheriff's Deputies, to which Erik Weaver, Sheriff, advised that it did – previous increases that were put in place during July 2007 have now been eliminated.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler, read the following report for the Madison Volunteer Rescue Squad for the month of September, 2008:

(34) Medical emergencies: 19 BLS – 15 ALS
 (7) Motor Vehicle collisions
 (3) Standby(s)
 (7) Injury (not listed)
 (1) Assault
(1) Public Service
 53 Total Calls

IN RE: MADISON COUNTY TREASURER (Delinquent Tax Report)

Stephanie Murray, Treasurer, was present and provided the following report for delinquent tax collections for FY08 and Post Year FY 08 (Ending August 31, 2008) for real estate and personal property taxes for Madison County, Virginia.

YEAR	TOTAL ASSESSED	TOTAL DELINQUENT	PERCENTAGE DELINQUENT
2007	10,578,185.87	287,677.20	2.72
2006	11,530,024.28	113,143.87	0.981
2005	11,139,584.97	63,501.38	0.0057

Real Estate delinquent over three (3) years - \$5,725.19

I certify to the best of my knowledge this to be a true and correct list of delinquent taxes for the last three (3) years. Penalty or interest is not included in any of these figures. I

certify to the best of my knowledge this to be a true and correct list of delinquent taxes for real estate that are over three (3) years delinquent. Interest is not included in the figures of real estate taxes that are over three (3) years delinquent.

Stephanie G. Murray
Madison County Treasurer

Dated: October 14, 2008

Questions were verbalized as to the difference in assessed value from 2006 to 2007, to which it was felt resulted in the change in the value of farm equipment/machinery.

Chairman, Eddie Dean complimented the citizens of Madison County on being diligent in paying their tax obligation.

In closing, Stephanie Murray thanked the staff in the Treasurer's Office for their diligence in taking action to collect delinquent taxes (i.e. wage holds, DMV checks, etc) on a monthly basis.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

IN RE: NOVEMBER REGULAR MEETING (Change of Date)

Chairman, Eddie Dean advised the November Regular Meeting date falls on Veteran's Day, which is a holiday; therefore, the Board will need to reschedule the meeting from Tuesday, November 11th to Wednesday, November 12th.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board voted to move the November Regular Meeting from Tuesday, November 11th to Wednesday, November 12th @ 3:00 p.m. in lieu of the Veteran's Day Holiday (Tuesday, November 11th), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

IN RE: MINUTES

Chairman, Eddie Dean advised that Minutes #40, #41, #42, and #43 will need to be approved.

After discussion, on motion Bob Miller, seconded by James L. Arrington, Minutes #40, #41, #42, and #43 are approved as presented and spread in Minute Book #16, page through page, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

COMMITTEE REPORTS (OLD BUSINESS/NEW BUSINESS):

Chairman, Eddie Dean stated the Board will need to finish old business regarding the County's Subdivision & Zoning Ordinances regarding the approval of non-conventional sewage systems, as recommended by the Madison County Planning Commission during the previous Joint Meeting held on Wednesday, October 1, 2008.

Lisa Kelley, County Administrator, also stated the Board will need to discuss concerns regarding the non-conventional sewage systems; will also need to approve a Resolution to Develop a Regional Water Supply Plan for the Town of Madison & Madison County as discussed previously.

James L. Arrington verbalized concerns about the use of alternative septic systems as the current Ordinance indicates it is the responsibility of the Department of Health to keep adequate inspection reports on these types of alternative sewage systems that are already installed in Madison County; however, it appears that due to certain bureaucratic concerns, it appears these types of reports aren't currently being kept.

(CLARK POWERS ARRIVED @ 4:10 P.M.)

Lisa Kelley, County Administrator, explained criteria in the County's Ordinance that requires that an annual inspection report be submitted to the Madison Health Department where said reports are to be maintained; however, currently if an inspection report is received, these are reviewed by staff – if the system failed, this will be taken into consideration, but the existing way of handling these reports isn't one that provides automatic alerts when specific reports are due for these particular systems.

James L. Arrington questioned that if a property owner has a system that fails, there will essentially be no way to detect this by means of a special report, to which Lisa Kelley, County Administrator, agreed.

Chairman, Eddie Dean asked if this issue is better addressed in the older Ordinance or the amended version, to which V. R. Shackelford, III, County Attorney, advised it is not.

James L. Arrington feels the amended Ordinance will allow more systems to be installed than previously, and will create a higher risk for failed systems.

Additionally, V. R. Shackelford, III, County Attorney, stated the amended Ordinance being discussed today doesn't address the aforementioned concern.

Lisa Kelley, County Administrator, stated the current Ordinance contains language that indicates if it can be satisfactorily demonstrated through the Health Department that the system will not go inactive with intermittent usage, the non-conventional septic system can still be installed which is will still be standard as denoted in the amended Ordinance.

In closing, Lisa Kelley, County Administrator, advised that in order to approve the installation of a non-conventional sewage system, one must satisfy criteria as required by the Health Department.

V. R. Shackelford, III, County Attorney, indicated the Virginia Department of Health must have proof that these non-conventional systems can be biologically inactive with intermittent usage before they can implement any action; additionally, the State of Virginia has been pushing for the Virginia Department of Health to implement procedures to allow non-conventional septic systems and he also feels the amended Ordinance will provide the Madison Health Department with more authority to regulate procedures for these systems than has been allowed in the past.

In closing, Lisa Kelley, County Administrator, advised the amended Ordinances will also require more information to be provided (i.e. soil analysis and engineering reports) for non-conventional septic system applications.

Bob Miller feels with the specialized reports that will be required (i.e. soil analysis, engineering reports) will be implemented by a certified engineer who is using is certification/licensure as the seal of approval that the non-conventional septic system "will not go inactive" – therefore, the certified engineer, (to a certain degree) is placing his reputation on the line and it is anticipated that one would not make a guarantee of such a system unless they were absolutely certain the system will continue to operate

properly. In closing, Bob Miller also advised the industry is lobbying very hard toward Virginia legislature to make non-conventional septic systems available; therefore, the County can't say "these systems can't be installed" but rather do all that is possible to protect the County as best possible.

William L. Crigler concurred with comments made at the recent Joint Meeting with regard to the amended Ordinance being better than what was originally being utilized and feels there will be better control with the additional requirements (i.e. soil analysis, engineering reports).

Bob Miller questioned how many non-conventional systems are now installed in Madison County; he also feels the County has no idea as to what the magnitude of the problem really is at the existing time.

ORDINANCE TO AMEND THE MADISON COUNTY ZONING ORDINANCE

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on December 14, 2006;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that the Zoning Ordinance of Madison County, Virginia, be, and it hereby is, amended as follows with the requested change shown in strikeout/underlined text:

Article 20-126A Non-Conventional Sewage System: Any sewage disposal system other than a traditional septic tank and traditional sub-surface soil absorption (drain field). This system may serve a commercial establishment, or may be used if enhanced flow distribution, low-pressure distribution or pre-treatment is necessary. This system shall not include an experimental or provisional system,

~~and shall not be this system may be approved for intermittent use that would cause the system to be biologically inactive if both the manufacturer and a~~
licensed engineer, in consultation with an Authorized On-Site Soil Evaluator (AOSE), verify that the system is designed for intermittent use and does not become biologically inactive with intermittent or seasonal use. The system shall also be required to be designed and inspected by an AOSE licensed engineer prior to being approved for intermittent use. All other regulations regarding maintenance and monitoring will apply.

The aforesaid amendment shall be effective upon enactment and shall be prospective in application from the date of enactment.

After discussion, on motion of Bob Miller, seconded by William L. Crigler, the Board voted to adopt the Ordinance to Amend the Madison County Zoning Ordinance for Article 20-126A Non-Conventional Sewage System enacted this 14th day of October, 2008, with the following vote recorded:

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>x</u>	_____	_____	_____
Bob Miller	<u>x</u>	_____	_____	_____
James L. Arrington	_____	<u>x</u>	_____	_____
William L. Crigler	<u>x</u>	_____	_____	_____
Clark Powers	<u>x</u>	_____	_____	_____

ORDINANCE TO AMEND THE MADISON COUNTY SUBDIVISION ORDINANCE

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Subdivision Ordinance of Madison County, Virginia, would promote the orderly subdivision of land and its development within Madison County, Virginia;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that the Subdivision Ordinance of Madison County, Virginia, be, and it hereby is, amended as follows with the requested change shown in strikeout/underlined text:

Article 2-22A Non-Conventional Sewage System: Any sewage disposal system other than a traditional septic tank and traditional sub-surface soil absorption

(drain field). This system may serve a commercial establishment, or may be used if enhanced flow distribution, low-pressure distribution or pre-treatment is necessary. This system shall not include an experimental or provisional system, and ~~shall not be~~ this system may be approved for intermittent use that would cause the system to be biologically inactive if both the manufacturer and a licensed engineer, in consultation with an Authorized On-Site Soil Evaluator (AOSE), verify that the system is designed for intermittent use and does not become biologically inactive with intermittent or seasonal use. The system shall also be required to be designed and inspected by an AOSE licensed engineer prior to being approved for intermittent use. All other regulations regarding maintenance and monitoring will apply.

The aforesaid amendment shall be effective upon enactment and shall be prospective in application from the date of enactment.

After discussion, on motion of Bob Miller, seconded by William L. Crigler, the Board voted to adopt the Ordinance to Amend the Madison County Zoning Ordinance for Article 2-22A Non-Conventional Sewage System enacted this 14th day of October, 2008, with the following vote recorded:

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>x</u>	_____	_____	_____
Bob Miller	<u>x</u>	_____	_____	_____
James L. Arrington	_____	<u>x</u>	_____	_____
William L. Crigler	<u>x</u>	_____	_____	_____
Clark Powers	<u>x</u>	_____	_____	_____

Chairman, Eddie Dean suggested that V. R. Shackelford, III, County Attorney, and Lisa Kelley, County Administrator research to see how other localities regulate and follow up on these issues regarding non-conventional sewage systems; once some insight is gathered, the Board can discuss further concerns if needed.

Lisa Kelley, County Administrator, stated she was advised that several localities have implemented a tracking system (computer software) and flags a property when a report hasn't been received on a non-conventional sewage system or if the system is out of compliance.

James L. Arrington questioned whether Rappahannock County allowed the use of non-conventional sewage systems, to which Bob Miller advised the Virginia Department of Health allows these systems based on State regulations.

Lisa Kelley, County Administrator, advised the Health Department can have some additional level of regulations, but is unable to prohibit these types of systems all together; additionally, whatever local ordinances that are being used must be consistent with state regulations/requirements. Also, she advised the State will provide a conditional comment for a system for intermittent usage; however, one must prove to the State the system is only functioning on an intermittent basis, which is very difficult to prove.

Bob Miller asked whether it would be feasible for the County to hire an outside source for a \$30 monthly fee to receive/records all reports for non-conventional sewage systems; however, if there are only about ten (10) of these systems installed in Madison County, someone could be designated to make notations as to when certain inspections/reports should be generated and/or or received on these systems; additionally, he feels there might be a program that can be added to a departmental computer to follow up on these systems.

Chairman, Eddie Dean suggested the Board follow up on this issue at the next Workshop session or sometime in November when more information has been attained.

IN RE: RESOLUTION (To Develop A Regional Water Supply Plan for the Town of Madison & Madison County)

Chairman, Eddie Dean stated the Board needed to discuss the Resolution To Develop A Regional Water Supply Plan for the Town of Madison & Madison County.

Chairman, Eddie Dean stated the Town of Madison has passed their part of this Resolution and also inquired as to whether the Board will need to act on this issue annually.

Lisa Kelley, County Administrator, advised the Board will need to initially pass the Resolution to move forward with the regional plan and, thus, will establish the County's intent to move forward with requirements for a plan.

James L. Arrington asked if a regional water study was implemented a few years ago, to which Lisa Kelley, County Administrator, advised the State mandated a planning process in conjunction with the Rapidan Service Authority, but the County did not join with the Town.

Chairman, Eddie Dean stated this issue has been discussed by the Board prior but there was no resolution implemented.

V. R. Shackelford, III, County Attorney, suggested that Dudley Pattie of RSA be involved, to which it was noted that RSA has been made aware of the current issue.

**RESOLUTION
TO DEVELOP A REGIONAL WATER SUPPLY PLAN
FOR
THE TOWN OF MADISON AND MADISON COUNTY**

WHEREAS, the Virginia General Assembly has mandated the development of local and regional water supply plans throughout the Commonwealth, and the State Water Control Board has developed regulations to implement this process; and

WHEREAS, as a result of the state's requirements, the Town of Madison and the County of Madison are each obligated to complete a water supply plan on or before November 2, 2010; however, each local government may elect to join one or more other local governments to develop a regional water supply plan, and any two or more localities that elect to do so will have until November 2, 2011 to complete their regional plan; and

WHEREAS, the County understands that each water supply plan, whether local or regional, must include the following elements:

1. Inventory and description of all existing water sources,
2. Description of existing water resource conditions,
3. Description of existing water use,
4. Assessment of projected demand for water use,
5. Description of water management actions,
6. A statement of projected needs,
7. An analysis that identifies potential alternatives to address projected water supply deficits,
8. A map or maps identifying important elements of the program, which may include existing environmental and water resources, significant existing water uses, and proposed new sources,
9. A copy of adopted program documents, including any local plans or ordinances that incorporate the local water supply program elements,
10. A resolution from each participating locality approving the plan, and

11. A record of the local public hearing, a copy of all written comments, and a copy of the locality's responses to written comments received.

WHEREAS, it is reasonable and prudent for the Town of Madison and Madison County to coordinate the development of a regional water supply plan, and participating jointly in a regional water supply planning process is a sensible approach in that there will likely be cost savings to the participants and because watershed boundaries do not follow political boundaries;

NOW, THEREFORE, be it resolved by the Madison County Board of Supervisors that Madison County agrees to participate with the Town of Madison in the development of a regional water supply plan and authorizes the County Administrator to serve as the County's Lead Agent to manage and develop a regional plan that will comply with the state's mandated requirements; and

BE IT FURTHER RESOLVED THAT, for the purposes of requirements of the State Water Control Board and Department of Environmental Quality, this resolution is intended and shall serve as the County's Letter of Intent to participate in a regional water supply plan, to be completed on or before November 2, 2011 in accordance with 9 VAC 25-780-50(B)(4).

On motion of James L. Arrington, seconded by William L. Crigler, the Madison County Board of Supervisors adopted this Resolution on this 12th day of Supervisors of Madison County, with the following vote recorded:

Eddie Dean, Chairman
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u> x </u>	_____	_____	_____
James L. Arrington	<u> x </u>	_____	_____	_____
William L. Crigler	<u> x </u>	_____	_____	_____
Bob Miller	<u> x </u>	_____	_____	_____
Clark Powers	<u> x </u>	_____	_____	_____

Attest:

Lisa R. Kelley, Clerk, Board of Supervisors of
Madison County, Virginia

IN RE: JOINT MEETING WITH THE MADISON COUNTY SCHOOL BOARD

Lisa Kelley, County Administrator, advised the Madison County School Board is unable to meet on October 29th; therefore, two (2) alternative dates have been suggested: Wednesday, November 5th @ 5:30 p.m. and Wednesday, November 12th @ 6:30 p.m.

Additionally, due to the Board rescheduling the November Regular Meeting to November 12th, this time will not be considered.

After discussion, it was noted the meeting date of November 5th @ 5:30 p.m. will be prior to the regularly scheduled Joint Meeting held @ 7:30 p.m.; therefore, the Board inquired as to how long the meeting will take and what the agenda will consist of.

Lisa Kelley, County Administrator, stated it is anticipated the meeting will mainly focus on their construction planning process and budgetary concerns.

After discussion, the Board agreed to move forward with scheduling the meeting with the Madison County School Board on Wednesday, November 5th @ 5:30 p.m.

The Board has also requested that dinner be served.

IN RE: KEMPER MANSION (Renovations)

Lisa Kelley, County Administrator, advised the painting contractor(s) was on site today to commence renovations; it is anticipated this project will be completed within the next month or so.

IN RE: COURTHOUSE PROJECT

Lisa Kelley, County Administrator, advised that renovations to the Courthouse are ongoing; all appears to be going well thus far with no major rock being encountered to date.

James L. Arrington asked if there were any additional expenses incurred to date, to which Chairman, Eddie Dean advised there was an additional incurred for asbestos removal which cost \$20,000.00, according to Lisa Kelley, County Administrator – this was an expense that was unforeseen until interior renovations were implemented.

Clark Powers asked about how long the Courthouse Project will take, to which Lisa Kelley, County Administrator, advised will take about eighteen (18) months.

IN RE: CRIGLERSVILLE ELEMENTARY SCHOOL

Lisa Kelley, County Administrator, advised there have been no “hits” on the Criglersville Elementary School thus far.

IN RE: VIRGINIA DEPARTMENT OF FORESTRY

Chairman, Eddie Dean stated he and William L. Crigler met with Jack Kauffman of the Virginia Department of Forestry to discuss an evaluation performed by Mike Santucci on the timber located at the Madison Transfer Station; it was noted that a few areas may need some thinning with one area possibly needing a controlled burn at a later time.

IN RE: REGIONAL COMMISSION MEETING

James L. Arrington inquired about the date of the upcoming Regional Commission.

Lisa Kelley, County Administrator, advised the meeting has been scheduled for Wednesday, October 18th at Graves Mountain Lodge in Syria (at the request of the Madison County Board of Supervisors) in order to spare the Board from having to travel all the way to Rappahannock County, Virginia.

IN RE: STATE REIMBURSEMENT CUTS

Chairman, Eddie Dean verbalized concerns regarding the existing state reimbursement cuts involving wage increases for the Department of Social Services and the Constitutional Offices and the fact this is a “freezing” of what the County is reimbursed and whether this has affected anyone projected pay wages.

Lisa Kelley, County Administrator, advised that no County salaries have been decreased (or anyone laid off) without authorization by the Board.

Chairman, Eddie Dean asked if the County continues on with the existing pay schedule it appears the County will be committing some of the contingency funding to maintain the positions that are funded by state supplements.

Lisa Kelley, County Administrator, advised that she has instructed all Departments to strictly manage overtime expenses and not to overspend on contracts and to only purchase the essential needs for their respective offices. In closing, she stated there have been no requests for any Departments to lay off any employees or to cut salaries; however, if the Board later determines that alternative measures are necessary, this issue will need to be discussed.

Chairman, Eddie Dean stated the Board will need to attain some impact figures in order to determine what effect the cuts will have on the contingency fund; however, he suggested the County look to continue to operate as though all funding obligations will be met, but to continue to ask Departments to continue to commit to make this possible.

James L. Arrington stated the Sheriff has laid off three (3) of his part-time personnel, to which Lisa Kelley, County Administrator, advised that each Department was strongly asked to determine the best way to meet the needs of their individual department and to refrain from paying any unnecessary overtime or overtime that wasn't previously scheduled unless in an emergency situation and reduce expenditures created from full-time personnel working overtime (i.e. instead have part-time employees pick up the tasks).

In closing, Lisa Kelley, County Administrator, advised decisions have been placed on the Department Heads to determine what they can do at the present to preserve funds within their individual department, as she doesn't feel the County should go too overboard with spending at this point in the budget cycle based on the proposed budget cuts being imposed by the State.

James L. Arrington asked if the existing situation will limit Lewis Jenkins, EMS Coordinator, from moving forward with filling the vacancy in his department, to which Lisa Kelley, County Administrator, explained criteria regarding the benefits of paying part-time staff to perform the overflow of duties; however, each department has to determine for itself how best they can cover all functions. There are no drastic measures being taken at this time; however, as in the case of the EMS vacancy (and the E911 Center) the positions take a long time for training and in the period of an absence, these departments still need to have essential staff to cover the additional hours involved which are pertinent to the mission they committed to provide.

IN RE: PDR ORDINANCE

Bob Miller asked whether a PDR Ordinance has been prepared, to which V. R. Shackelford, III, County Attorney, advised he was awaiting guidance from the Board – he has a proposed Ordinance but will need some direction.

James L. Arrington asked whether it was the consensus of the Board to ask the PDR Committee to provide the public with information as to what their program will entail.

Bob Miller advised it will be the responsibility of the Board to schedule a Public Hearing.

Chairman, Eddie Dean suggested the PDR Committee be asked to participate.

V. R. Shackelford, III, County Attorney, inquired as to who will administer the proposed PDR Program – he would like to include ideas from the Board and not just his insights.

Bob Miller asked what particular points will be needed as PDR Committee members have inquired for an update on the report they provided to the Board.

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, to provide his suggestions and these will be discussed at the upcoming Board Workshop Session scheduled for October 30th.

IN RE: PROPOSED FY10 BUDGET CALENDAR

Chairman, Eddie Dean stated that Teresa Miller, Finance Director, has prepared a proposed budget calendar for FY10.

Lisa Kelley, County Administrator, stated the proposed calendar is very ambitious and that most localities tend to approve their budgets quicker than Madison County has done in the past; however, some of the deadlines incorporated into the calendar were designed with the Board's desire to forward with a schedule aimed toward getting the County budget approved earlier. In addition, she stated it will be very difficult to attain accurate figures from the State even if the County waits; most of the work with the Department Heads will be implemented by the County Administrator and the Finance Director; the Madison County Board of Supervisors will need to meet with the Madison County School Board in January 2009 to discuss their impending budget and again in February 2009; and work sessions are being scheduled. In light of there being no reassessment during the upcoming year, there will be less difficulty in establishing a tax rate.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board adopted the proposed FY2010 Budget Calendar as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

IN RE: CONTRACTS FOR SNOW REMOVAL

William L. Crigler asked if there were any contracts in place for snow removal for the winter season.

Lisa Kelley, County Administrator, advised there are two (2) providers that perform snow removal for the County; payment for these services is handled as a small purchase and is more cost effective than having a contract in place with one provider.

IN RE: MAIN STREET PROJECT (Walk through)

William L. Crigler asked whether a time/date has been scheduled for the walk-through on Main Street.

Lisa Kelley, advised that the Greater Madison Main Street Committee has been asked to identify their priorities for the work that is to be done based on available funding; it is yet to be determined if the committee would like to see work begin/end at a specific point, perform sidewalk, curbing and gutter improvements, or whether to remain with the original plan of improving bits/pieces of sidewalk in certain areas (i.e. old/new sidewalk mixed).

Chairman, Eddie Dean stated apparently there is still enhancement funding available, but there is still enhancement funding available and it appears bids are being accepted at the current time.

Lisa Kelley, County Administrator, stated the deadline for bid applications is the first week of November 2008 and suggested the County move forward to apply - she plans to get an application together within the next couple of weeks.

IN RE: COURTHOUSE PROJECT (BIDS)

William L. Crigler asked about the bid for the Courthouse Project, to which Lisa Kelley, County Administrator, advised the County is preliminary approved and she should be hearing something from the attorney regarding the transaction.

V. R. Shackelford, III, County Attorney, stated he didn't feel there will be any problems with the application; however, he referenced the poor economic situation and how this affects business credit.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that all Board members are present.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

Bob Reid of Brightwood was present and presented and stated that Madison County won the Tri-County Track Meet by 25 points; all three Counties (Orange, Culpeper, Madison) had more participants than during the last year (Culpeper [31], Orange [16] and Madison [13]) and the total number of competitors was 135. Additionally, Mr. Reid provided a breakdown of each category and provided names of participants (young to old and family groups). In closing, he presented the Championship trophy to the Madison County Board of Supervisors for display at the Thrift Road Office.

Chairman, Eddie Dean thanked Bob Reid for his contribution to the citizens of Madison County, Virginia.

Jerry Butler was present and advised the Board the Battlefield Piedmont Regional Triad Council has scheduled a senior crime prevention seminar for Friday, October 17th; he advised for the past three (3) years this seminar has been held in Culpeper and is finally being scheduled to take place in Madison County, Virginia; therefore, he extended an open invitation to the Madison County Board of Supervisors and any other citizens who might be interested in attending the program (lunch will also be served) which will start @ 9:00 a.m. until 2:00 p.m. at the Madison County Firehouse. It is anticipated that over 200 persons will be in attendance with buses transporting

seniors from Culpeper, Orange, Greene, Albemarle, Fauquier, the Town of Culpeper, the City of Charlottesville, and the City of Gordonsville (all are a part of the Regional Triad Council).

IN RE: CENTRAL VIRGINIA REGIONAL JAIL RESOLUTION

Lisa Kelley, County Administrator, stated the draft Resolution pertaining to the Central Virginia Regional Jail has been provided for review.

Lisa Kelley, County Administrator provided an overview of a prior meeting during which time Glenn Aylor, Superintendent of the Central Virginia Regional Jail, attended and discussed the long-range plan for the facility and the need to finance the site. At that time, he proposed an idea of transitioning from a regional undertaking amongst the localities to a Regional Jail Authority. Additionally, she provided an overview of a few operational changes that will need to take place with a main benefit of having a Regional Jail Authority would be to allow the entity to issue bonds and make decisions during board meetings without having to go to each of the member localities that are involved.

In closing, Lisa Kelley, County Administrator, advised it is anticipated for the County to move forward on this Resolution, as Glenn Aylor, Superintendent, has stated they want to begin advocating the General Assembly to continue the exemption currently in place that will allow the County to keep the benefit of having the federal beds in place at the facility without losing state funding; in order for the exemption to continue and be transferred along to the Regional Jail Authority, a decision must be attained before early December to allow time to draft bills and submit them to the General Assembly for consideration. She advised that V. R. Shackelford, III, County Attorney, has reviewed the documents in detail and can answer any legal questions from the Board.

V. R. Shackelford, III, County Attorney, raised a few issues with regard to the Resolution and has prepared a 1-2 page summary of the complete document; additionally, he has some concerns about the structure transitioning from a regional jail into a jail authority with approval of a new extension preference as denoted in the Resolution – he feels it would've been more feasible to keep things separate. There are technical concerns (i.e. how to keep a handle on the ownership of real estate) and it appears if the Regional Jail Authority is a legal entity, then it could transfer real estate

from the individual Counties to the Authority, which he feels might not be in the best interest of the Counties.

V. R. Shackelford, III, County Attorney, stated he was unsure as to how the Regional Jail Authority will assume the existing debt and not depending on the localities for annual fees. In closing, V. R. Shackelford, III, County Attorney, felt a general memorandum should've also been prepared to clarify much of the legal content of the Resolution.

James L. Arrington asked in the event there is a default by the Regional Jail Authority, can the obligation flow back to the localities, to which V. R. Shackelford, III, County Attorney, stated the debt would be looked upon as the Regional Jail Authority' debt; however, he advised this is one of the benefits of having an Authority and provides it with some independence instead of having to come to each locality for approval of any projects. However, this factor also does not guarantee localities any representation in the decisions being made by the Regional Jail Authority.

Clark Powers asked about the total amount (\$10 million dollars) it will cost to complete the expansion, to which V. R. Shackelford, III, County Attorney, advised it would've been more feasible if more factual information could've been provided regarding the expansion details.

V. R. Shackelford, III, County Attorney, asked if the County's representative could provide further information (Steve Hoffman and/or Erik Weaver, Sheriff); he also stated it appears the Central Virginia Regional Jail feels it is a very wise thing for Madison County to be involved in the decision to form a Regional Jail Authority as it will provide a level of independence.

James L. Arrington also suggested the Central Virginia Regional Jail has been a very good investment for Madison County; however, if the exemption for federal beds is removed, the allocation that may be required by the localities will increase greatly; therefore he is concerned how an increased debt of \$10 million dollars will effect the financial status of the localities involved.

Chairman, Eddie Dean stated the past budget was the first time during which the County had to include supplemental costs.

James L. Arrington also stated the County costs for the Rappahannock Juvenile Detention Center will increase because they've been paying the debt service.

V. R. Shackelford, III, County Attorney, commented on the \$10 million dollar expansion and Chairman, Eddie Dean asked if the facility has a debt service.

William L. Crigler stated there two or three phases of the expansion project for the facility which will be long-term.

Lisa Kelley, County Administrator, advised that representatives at the Central Regional Jail provided information on projections as provided by Robinson, Farmer, Cox Associates which denoted what will happen if the additional phase(s) aren't included in the expansion project; however, there was no practical alternative to having all the Counties inmates housed in another space.

James L. Arrington asked if localities are charged based on the number of prisoners each locality has at the facility, to which Chairman, Eddie Dean stated is determined based on records on numbers and the operational percentages don't change much from year to year.

Chairman, Eddie Dean suggested the Board follow the recommendation as presented by V. R. Shackelford, III, County Attorney, regarding the Resolution and follow up in November as the Board will need time to fully read the document before taking action.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

With no further action being required by the Board, on motion of William L. Crigler, seconded by Clark Powers, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: October 15, 2008